



Lamoine Board of Selectmen

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Minutes of May 21, 2009

Chair Jo Cooper called the meeting to order at 7:06 PM directly following adjournment of the special town meeting.

Present were: Selectmen Kermit Theall, Gary McFarland, Richard Fennelly Jr., S. Josephine Cooper, Cynthia Donaldson; Administrative Assistant Stuart Marckoon, RSU # 24 Representative Jonathan Morren, Donna Theall, Michael Jordan, Merle Bragdon, Kathleen DeFusco, Town Clerk Jennifer Kovacs, School Committee Member Kathleen Rybarz and RSU # 24 Superintendent William Webster.

Agenda Review – Stu said he had one more item for other business – a letter of support for a hazard mitigation grant.

Minutes – May 7, 2009 – Richard and Cynthia handed in several written corrections and clarifications to the minutes as drafted. Kermit moved to approve the minutes as corrected. Gary 2nd. **Vote in favor was 5-0.**

Expenditure Warrant 25 – Selectmen signed warrant 25 for \$55,584.41. There was a brief discussion about the cost of water testing.

Cash & Budget Report – Stu reported Municipal Revenue Sharing was a little higher than expected for May, and it should end the year a little better than projected. Cynthia asked why that might have happened. Stu said he theorized people paid their state income tax in April, so the funds were available.

Checking Account Reconciliation – Cynthia asked what the Bangor Hydro bills correspond to. Stu said the Town Hall, Fire Station, Transfer Station, Salt/Sand shed and two sets of streetlights. Cynthia asked about a person to whom a check was paid. Stu said it was for a tax overpayment. Selectmen signed the statement expressing satisfaction with the checking account reconciliation.

30-day Notices – Stu said there are over 100 unpaid property tax bills. He said there are several that mortgage companies have been servicing for which the town has not yet received the 2nd half payment. He said he's been in contact with the mortgage service companies about that.

Stu said the goal is to get 30-day notices out by a week from Friday (May 29th).

Conflict of Interest – Jo said the board got an answer from MMA Legal in regard to the inquiry about a potential conflict of having the spouse of a Selectman serve on the Planning Board, and the matter is settled – there is no conflict. She said the concern was to answer the question from the resident. She said Stu should write a letter to the resident and quote the MMA letter saying there is no conflict.

Electronic Records Retention Policy – Jo moved to approve the policy. Richard 2nd. **Vote in favor was 5-0, Selectmen signed the new policy.**

Displays Policy – Richard asked if there was a requirement to have a bulletin board inside the transfer station. Stu said it would be optional. Jo moved to approve the amended policy. Kermit 2nd. **Vote in favor was 5-0.**

Water Testing – Stu reported there has been no change in the water tests for many years, and perhaps it might be wise to ask the Department of Environmental Protection (DEP) if the town could scale back testing to perhaps once every two years. Cynthia said the town has 15-years of data. Jo said the testing is very expensive. Stu suggested that the Board write to Bob Birk at the DEP. Richard moved to have Stu write the letter to the DEP. Gary 2nd. **Vote in favor was 5-0.**

Lamoine Beach Park Privy Maintenance – Stu reported that the Parks Commission recommended that all the bids be rejected and the job offered to William Fennelly as part of hourly payroll. Jo moved to accept the Parks Commission recommendation. Kermit 2nd. There was a brief discussion of how to add that to Mr. Fennelly's job description. Stu noted that one of the bidders did not leave an address, so it would be difficult to contact them. **Vote in favor was 4-0 (Fennelly abstain).**

Special Town Meeting Warrant – June 24, 2009 – Selectmen pointed out a couple of errors in the draft warrant language. The issue was tabled until after the meeting with the Superintendent of RSU #24. There was a brief discussion about the calculation of the MDI tuition rate and the numbers of students attending non-RSU schools.

Hazard Mitigation Grant Letter – Stu explained the grant application requires a letter from the Selectmen supporting the application. Richard asked if there was something that could be done for the undersized culvert the MDOT installed on Jordan River Road. It was suggested the Board might write to MDOT. Kermit moved to sign the letter for MEMA's Hazard Mitigation Grant. Gary 2nd. **Vote in favor was 5-0.**

Sculpture Fund Raising Sign – Cynthia handed out an updated picture of what a sign might look like tracking progress of the fundraising for the sculpture to be placed at Lamoine State Park. She said a group has been formed to raise \$8,000 toward the projects. Jo suggested the wording read "Lamoine Residents" instead of "Town of Lamoine".

Cynthia asked how the board felt about putting the sign up at the town hall. She said it measures 2-feet by 6-feet. Jo asked where it would go. Cynthia said on the south side of the building by the current sign. Richard asked what the effect would be if someone asked to put up a sign totally unrelated to town business at the town hall, and expressed concern about setting a precedent. Jo noted the sculpture project is not yet sponsored by the town. She said the sign needs a high visibility location and several areas were discussed. Jo said she had some discomfort with putting the sign at the town hall.

Gary said leaflets could be left inside the town hall. Stu said they are already here. Jon Morren asked what the sign policy is. Jo suggested that it be conveyed to the sculpture folks that it's not that the Board doesn't support the project, but that a different location might be better suited for the sign. Kermit suggested talking to the owners of the Lamoine General Store.

Joint Fair Hearing Authority – Stu briefly explained the proposal drawn up by the MDI League of Towns to create a pool of General Assistance (GA) Administrators who could conduct a fair hearing on disputed GA decisions. Jo said it seems like a good idea. Cynthia said the proposal is pretty straight forward. Richard said he would like to have time to review it for the next meeting. There was a brief discussion about the GA Administrator picking the person to hold the hearing. Jo said she would like to look at the proposal and put it on the next agenda.

Validation Referendum Warrant – The Board counter-signed numerous copies of the warrant calling for the RSU # 24 school budget validation referendum to be held on Tuesday, June 9, 2009 at the Town Hall.

Memorial Day – Jo reminded the Board that a small ceremony will take place on Memorial Day at the Veterans Memorial.

School Presentation – RSU #24 Superintendent

Superintendent William Webster presented a power point show on the proposed RSU 24 Budget. He said the RSU Board approved the budget on May 18, 2009, and the town should have received the various warrants for the RSU Budget meeting and validation votes. Stu confirmed that the town had.

Mr. Webster said this is a 3-part process. The first part was the Board budget approval noted above, the 2nd part is the RSU Budget meeting which takes place on May 26, 2009 at 6:30 PM at the Hancock Grammar School. He said it's a town meeting style of meeting with all voters eligible to attend and vote, but only those in attendance can vote. There was a brief discussion of whether there would be enough room at the Hancock school. The 3rd part is the validation referendum on June 9, 2009.

Mr. Webster said if the budget is validated, an assessment notice would be sent to the towns. Richard asked if the information regarding state funding is available for the budget. Mr. Webster said it was – they received it in April. He said this is the 3rd year in a row there has been turmoil in Augusta, and he's not 100-percent certain on state support. He said any adjustments in that would come out of the 2nd year of the state budget. Richard asked if the federal stimulus money is included in the budget figures. Mr. Webster said it was.

Mr. Webster said the validation referendum is an unfunded mandate, and sending the clerk/registrar to the RSU Budget Meeting is also an expense that the town will need to pick up. He explained that the budget timeline would typically start in January. He said local school boards drafted their budget, and all the current local programs have been

maintained. He said the goal was a 3-percent maximum increase. He said the budget document has over 2,700 lines with 15-columns. He said the total budget is about \$33-point-9 million dollars. After some adjustments, it has fallen to \$32-point-3 million. He said a district wide mailing was sent out with the larger figure.

Mr. Webster said \$794,000 was cut on May 18th due to double counting of the federal stimulus money in the revenue lines. He explained where the cuts were made. He said the area that would affect Lamoine is a proposed guidance position. He said there will be guidance, and that a guidance counselor from another school would give some time to Lamoine.

He said a comparison with the 2009/10 budget shows an overall 4-percent reduction, but actually spending is up 2-point-1 percent due to various factors used to make a proper comparison.

Mr. Webster reviewed the revenue figures, saying overall state aid district wide is being reduced by \$1-million. Richard asked if the EPS reduction is an exposure for all towns. He asked whether the RSU population is reduced by out of district high school placement. Mr. Webster said the subsidy is based on enrollment, and the subsidy will benefit the school the student actually attends. A short discussion followed.

Mr. Webster explained the mill-rate expectation of the towns. He said valuation swings in the district have been tremendous. He explained the additional local funding formula. He said the initial local assessment for RSU 24 is \$22-million dollars. He said Lamoine's assessment is \$2.159 million, up about 9.4-percent. He said any surplus education funds would be refunded by June of 2010, which would be a two year accumulation. He explained how the carry-over situation works.

Mr. Webster said the final figures show a total tax assessment to the RSU of \$19,349,000, which is 4% less than the current fiscal year thanks to surplus. He said Lamoine's final share would be \$2,095,000, which is up \$65,000 from the current year. He said an adult education assessment is included in that figure. He said that if the budget is turned down at validation, he would propose further cuts. He said that would be a challenge to the RSU Board.

Cynthia noted that Lamoine is one of the few towns with an increase in the assessment. Jon Morren said without a summer payroll adjustment, the Union 96 towns would see an additional assessment. Mr. Webster said the state expects an 8-point-8% reduction in support. He said it's not the same magnitude as last year, but it's still another hit.

Michael Garrett asked how much Lamoine is saving by consolidation, and whether it is possible to prove those savings. Mr. Webster showed a savings calculation he'd done for Sullivan. Cynthia asked about consolidation penalty money. Mr. Webster said politics seem to be behind the penalty debate. He said if the referendum passes to repeal consolidation in November 2009, the penalty money would likely go back to those towns assessed a penalty. He said if the referendum fails, the RSU towns would receive the penalty money. He said if the referendum passes, the Legislature would likely go

into session and he expects Lawmakers would revert to SAD laws in regard to RSUs. He said it's very difficult to unwind an SAD, and impossible to pull out of an RSU at present.

Richard said it would be helpful to see the savings calculation for Lamoine. Mr. Webster said it's a 4-to-5 year process to accomplish savings through consolidation. There was a discussion about the bidding process, savings centers, collaboration and student/teacher ratios.

Richard asked if the percentage of payment to the RSU stays constant. Mr. Webster said the additional local percentage would stay the same. He said the state mill rate changes, and there is no control over that.

Secondary Tuition Costs

Cynthia said there was a question regarding existing contracts in regard to additional tuition to non-RSU secondary schools. Richard said the communication from Mr. Webster prior to the meeting was that the RSU would pick up tuition costs up to the state set level. Mr. Webster said the RSU would also pick up the transportation cost for the final year of the contract with MDI High School. He said the RSU plan could have been worded better, and he would respect the Selectmen's opinion if they differ on the tuition contract matter. He said for the 1st year of the RSU operation, Lamoine would be obligated for the extra 10-percent to MDI High. He said if the contract is renewed with transportation requirements, Lamoine would pick up all of those costs as well as the higher rate for MDI. A short discussion followed.

School Lot Delineation

Mr. Webster said the law gives the RSU the power to take whatever land is necessary. He said getting a deed to the Lamoine School is not on his top 10 list of things to do immediately. He said if the town proposes a reasonable offer; the deed would be filed and likely never be challenged. Jo said the concern from the board was whether there is a required amount of space for a school. Cynthia said there was a question of distances from a door and the area required in regard to student population. Mr. Webster said if Lamoine reaches the point that the school needs to expand, the RSU would work with the town. He said he does not believe this will be a big issue.

Local Advisory Committee Ordinance

Mr. Webster asked if the ordinance has been adopted in Lamoine yet. Stu said it's on the warrant for a special town meeting in June. Mr. Webster said the proposal drafted by the town is the most comprehensive he's seen in the state.

Mr. Morren noted that the debt service savings to the town under the RSU plan are significant.

Mr. Webster said the RSU wants to work with the town. He said the selectmen should never hesitate to contact his office. He said the school will begin to think about a search for a permanent principal in the fall. He said there is an interim principal in place for now. He said the local advisory committee should think about what type of position ought to be there. There was a brief discussion about a teaching principal.

Special Town Meeting Warrant – Jo move to sign a special town meeting warrant for June 24, 2009. Richard 2nd. **Vote in favor was 5-0, Selectmen signed the warrant.**

Next Meetings - The next regular meetings for the Selectmen will be:

- June – meet on June 4 & June 18, 2009
- July – meet on July 2 & July 23, 2009
- August – meet on August 13, 2009
- September – meet on September 3 & September 17, 2009

Executive Session – Jo moved to enter executive session pursuant to 1MRSA §405(6)(a) for the purposes of performance reviews and contract negotiations with the Town Clerk/Tax Collector and the Administrative Assistant. Richard 2nd. **Vote in favor was 5-0. In at 9:21 PM, Out at 10:10 PM**

There being no further business to transact, the meeting adjourned at 10:10 PM

Respectfully submitted,

Stu Marckoon, Adm. Asst. to the Selectmen